

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAMBUS INC.,

No. C 05-2298 WDB

Plaintiff,

v.

ORDER FOLLOWING PLAINTIFF'S
RESPONSE TO COURT'S ORDER RE
CONSENT OR REQUEST FOR
REASSIGNMENT

SAMSUNG ELECTRONICS CO.
LTD., et al.,
Defendant(s).

_____ /

On July 20, 2005, this Court directed the parties to decide whether they would consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. section 636(c). On July 29, 2005, plaintiff declined to consent to magistrate judge jurisdiction, "**given that its unopposed Motion for Related Case to Case No. C 00-20905 RMW and Request for Reassignment of Related Case to Judge Ronald M. Whyte, which was filed June 30, 2005, is still pending.**" Rambus Inc.'s Request for Reassignment Pursuant to Order of July 20, 2005, filed July 29, 2005, pp. 1-2.

If Judge Whyte relates the instant case to Case 00-20905 RMW, this case will be reassigned to Judge Whyte as a related case. If Judge Whyte determines that the two cases are not related, plaintiff may reconsider whether it wishes to consent to Magistrate Judge

1 jurisdiction pursuant to 28 U.S.C. section 636(c). Plaintiff must make this decision by no
2 later than one week after the determination that the cases are not related.¹

3 The August 25, 2005, date for hearing plaintiff's motion to dismiss and strike certain
4 of defendants' counterclaims and affirmative defenses is hereby VACATED. If Judge Whyte
5 determines that the two cases are not related and if all parties consent to Magistrate Judge
6 jurisdiction, the Court will re-schedule the hearing and issue a briefing schedule.

7
8 IT IS SO ORDERED.

9 Dated: August 2, 2005



WAYNE D. BRAZIL
United States Magistrate Judge

10 Copies to: Parties, WDB.
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24 _____
25 ¹ Defendants did not file a consent to magistrate judge jurisdiction or a request to be reassigned
26 to a district judge. If Judge Whyte determines that this case is unrelated to C 00-20905 RMW,
27 defendants must make an election and e-file the consent or request for reassignment by no later than one
28 week after that determination.